



**PROPOSED RULE MAKING
(RCW 34.05.320)**

CR-102 (7/22/01)
**Do NOT use for expedited
rule making**

Agency:

- ☐ Preproposal Statement of Inquiry was filed as WSR _____; or
☐ Expedited Rule Making -- Proposed notice was filed as WSR _____; or
☒ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice
to WSR _____
☐ Continuance of WSR _____

(a) Title of rule: (Describe Subject)

246-215-150, **Food Service, Construction and maintenance of physical facilities. This rule addresses construction and maintenance of food service establishment requirements.**

Purpose:

To make the WAC consistent with the authorizing statute and the national Americans with Disabilities Act.

Other identifying information:

(b) Statutory authority for adoption: **RCW 43.20.050**

Statute being implemented: **chapter 70.84 RCW**

(c) Summary:

The proposed rule will change WAC 246-215-150(7)(c)(iv) language from "Guide dogs or service dogs..." to "Dog guides or service animals..." to more accurately reflect the intent of the ADA.

Reasons supporting proposal:

(d) Name of Agency Personnel Responsible for:

Office Location

Telephone

1. Drafting.....**Dave Gifford**

Tumwater

(360) 236-3074

2. Implementation.... **Dave Gifford**

Tumwater

(360) 236-3074

3. Enforcement..... **Dave Gifford**

Tumwater

(360) 236-3074

(e) Name of proponent (person or organization):

Washington State Department of Health

☐ Private

☐ Public

☒ Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:

(g) Is rule necessary because of:

Federal Law?

☒ Yes

☐ No

If yes, ATTACH COPY OF TEXT

Federal Court Decision?

☐ Yes

☒ No

Citation:

State Court Decision?

☐ Yes

☒ No

(h) HEARING LOCATION:

Submit written comments to:

Dave Gifford

DOH, FSSP

P.O. Box 47824

Olympia, WA 98504-7824

FAX (360) 236-2257 By (date) March 13, 2002

Date: **March 13, 2002** Time: _____

DATE OF INTENDED ADOPTION: **March 13, 2002**

Assistance for persons with disabilities: Contact
_____ by _____

TDD () _____ or () _____

NAME (TYPE OR PRINT)

Don Sloma

CODE REVISER USE ONLY

SIGNATURE		
TITLE Executive Director	DATE	

(COMPLETE REVERSE SIDE)

(j) Short explanation of rule, its purpose, and anticipated effects:

The proposed rule will change WAC 246-215-150(7)(c)(iv) language from "Guide dogs or service dogs..." to "Dog guides or service animals..." to more accurately reflect the intent of the ADA. This proposed rule improves access to public places for disabled citizens.

Does proposal change existing rules? ☒ YES ☐ NO

If yes, describe changes:

The proposed rule will change WAC 246-215-150(7)(c)(iv) language from "Guide dogs or service dogs..." to "Dog guides or service animals..."

(k) Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.
A copy of the statement may be obtained by writing to:

Telephoning: ()
Faxing: ()

☒ No. Explain why no statement was prepared

This rule change is exempt from the small business impact statement requirement under RCW 19.85.025(3) because it adopts federal requirements without material change.

(I) Does RCW 34.05.328 apply to this rule adoption? ☐ Yes ☒ No

Please explain:

Under RCW 34.05.328(5)(b)(iii) and (iv), RCW 34.05.328 does not apply to this rule adoption because this rule adopts federal requirements without material change. This rule is for conformance with the US ADA.